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DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
WASHINGTON, DC 20350-2000

IN REPLY REFER TO

OPNAVINST 5730.4E  
OP-806/OP-09BL  
29 July 1991

OPNAV INSTRUCTION 5730.4E

Subj: PROCEDURES FOR HANDLING CONGRESSIONAL MATTERS AND  
COORDINATING ITEMS OF LEGISLATION, EXECUTIVE ORDERS, AND  
PROCLAMATIONS

Ref: (a) SECNAVINST 5730.5G  
(b) SECNAVINST 5700.9D (NOTAL)  
(c) OPNAVINST 5700.12B (NOTAL)  
(d) OPNAVINST 7130.7B (NOTAL)  
(e) OPNAVINST 5430.48C (NOTAL)  
(f) OPNAVINST 5200.6H (NOTAL)  
(g) SECNAVINST 5730.11B (NOTAL)  
(h) NAVSO-3036 OLA Navy Witness Guide  
(i) OPNAVINST 5216.8C (NOTAL)  
(j) SECNAVINST 5216.1H (NOTAL)

1. Purpose

a. To define responsibility for carrying out Secretary of the Navy (SECNAV) and Chief of Naval Operations (CNO) policies for conducting congressional affairs, under references (a), (b), and (c).

b. To publish procedures for handling congressional matters of interest to the Secretary of Defense (SECDEF), SECNAV, or CNO. This instruction details procedures for OPNAV coordination of replies to congressional and special interest correspondence, requests and inquiries about Navy programs, and matters which involve expression of policy by SECDEF, SECNAV, or CNO.

c. This instruction has been revised to reflect disestablishment of the Congressional and Special Interest Correspondence Section (OP-806E) and should be read in its entirety.

2. Cancellation. OPNAV Instruction 5730.4D.

3. Scope. This instruction applies to OPNAV, systems commands, Military Sealift Command, the Bureau of Naval Personnel, Bureau of Medicine and Surgery, and other commands subordinate to CNO.



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4. Discussion

a. Congressional matters normally handled by OPNAV are of six basic types:

(1) Those pertaining to authorizations, which are coordinated with the Office of Legislative Affairs (OLA).

(2) Those pertaining to appropriations, which are coordinated with the Comptroller of the Navy, Appropriations Matters Office (NCBE).

(3) Responses to requirements contained in the Authorization or Appropriation Committee reports. Reference (d) contains guidelines for processing congressional reporting requirements.

(4) Mail about policy or programming issues and other special interest correspondence requiring response over the signature of SECDEF, Deputy Secretary of Defense (DEPSECDEF), SECNAV, Under Secretary of the Navy (UNSECNAV), assistant secretaries of the Navy (ASNs), or CNO.

(5) Notifying members of Congress of major changes in the status of naval activities, operating forces, or important programs, per references (b) and (c).

(6) Routine congressional mail and other inquiries, such as a request from a congressman's office to respond to the concerns of a constituent, which may be answered below the ASN/Vice Chief of Naval Operations (VCNO) level.

b. Responses to congressional correspondence, requests, or inquiries on Navy programs and other matters which involve explanation of policy by SECDEF, SECNAV, or CNO, whether originated within OPNAV or by commands subordinate to CNO, must be coordinated within OPNAV (and with OLA/NCBE as appropriate) prior to delivery to Congress.

5. Responsibility for Congressional Matters within OPNAV. Responsibility for handling congressional matters within OPNAV are assigned by reference (e) as follows:

a. Deputy Chief of Naval Operations (DCNO), Navy Program Planning (OP-08) coordinates matters involving authorizations and appropriations within OPNAV.

b. Director, General Planning and Programming Division (OP-80) coordinates congressional matters within OPNAV. The Head, Congressional and Policy Coordination Branch (OP-806) is

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normally the OP-80 action officer. OP-80 will:

(1) Be the primary point of contact between OPNAV and OLA/NCBE for congressional matters involving authorizations or appropriations (OP-806C/D). That responsibility includes:

(a) Coordinate congressional matters pertaining to authorizations and appropriations, including responses to reporting requirements.

(b) Coordinate briefings on naval matters for committee and staff members, as requested. Assist with indoctrination briefings on Navy programs for new members of Congress or congressional staffs when requested.

(c) Coordinate staffing within OPNAV of congressional requests for information.

(d) Disseminate information within OPNAV about congressional actions on Navy matters.

(2) Coordinate preparation of CNO's testimony before Congress (OP-806C), including:

(a) Coordinate statements.

(b) Obtain Navy and Office of the Secretary of Defense (OSD) security review of statements.

(c) Supervise and coordinate graphic and reproduction services required by CNO for presentations before Congress.

(d) Prepare backup material to support oral testimony.

(e) Designate backup personnel as required.

(3) Coordinate preparations for other Navy witnesses' testimony before Congress in support of Navy programs (OP-806D), including:

(a) Coordinate designation of witnesses within OPNAV.

(b) Obtain Navy and OSD security review of statements.

(4) Coordinate editing and review of hearing transcripts

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by OPNAV witnesses. Provide a copy of hearing transcripts to appropriate OPNAV sponsors for review (OP-806C/D).

(5) Obtain Navy security review of edited transcripts (OP-806).

(6) When requested, coordinate OLA/NCBE assistance in rehearsal of authorizations and appropriations witnesses and their representatives to ensure a consistent, integrated, and responsive group of presentations before Congress in support of the budget.

c. Assistant for Legal and Legislative Matters (OP-09BL)

(1) Coordinate matters related to proposed legislation (except for authorizations and appropriations), proposed executive orders, and proclamations submitted by OLA to OPNAV for comment.

(2) Coordinate proposed legislation originated within OPNAV or by headquarters components subordinate to CNO in the Washington area.

(3) On (1) and (2), in the event of disagreement, consult interested offices in an effort to arrive at a single coordinated OPNAV position. Prepare the issue for decision by VCNO if the matter cannot be resolved informally.

(4) Submit to OLA the OPNAV position on proposed legislation (except authorizations and appropriations), executive orders, and proclamations.

d. Assistant Chiefs of Naval Operations (ACNOs), Deputy Chiefs of Naval Operations (DCNOs), Directors of Staff Offices (DSOs) and Heads of Washington Area Activities

(1) Provide material for the Navy Backup File, in accordance with reference (f), and such other backup material as may be required to support CNO's testimony.

(2) Prepare for own testimony on Navy programs under references (g) and (h). Use OP-806 annual update to the memorandum, "Navy Witness Statements for Congressional Committee Hearings" (NOTAL), ensuring consistency of support information with that used by SECNAV and CNO.

(3) Submit responses to congressional inquiries and review proposed legislative items referred for comment.

(4) Review and edit hearing transcripts under the

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effective OP-806 memorandum "Congressional Hearing Transcript Review and Insert Preparation" (NOTAL).

(5) Designate a single point of contact for OP-09BL and OP-806 to facilitate responses to congressional inquiries.

(6) Prepare responses to congressional and special interest correspondence and coordinate them within OPNAV.

(7) Review draft responses to congressional and special interest correspondence.

e. Designated Witnesses and Briefers on Specific Legislation or Matters of Committee Inquiry. When designated by OP-80, prepare testimony under references (g) and (h) and conduct liaison directly with OLA and NCBE. Witnesses and briefers must ensure information provided to Congress is consistent with that provided by CNO and conforms with the expressed policy and position of SECNAV, CNO, and higher authority. OP-806 is available for advice concerning current policy and position of CNO.

6. Handling Congressional Mail. Congress and the Department of Defense require all congressional inquiries to be answered expeditiously (but not at the expense of complete coordination among all offices concerned), and in strict compliance with references (i) and (j). To reduce lost time, drafts and advance copies for coordination should be hand carried. Procedures for handling high level correspondence are outlined below.

a. SECNAV Administrative Division and OPNAV Mail Room may route routine congressional correspondence for action directly to DCNO/ACNO/DSO/SAs or their action officers, bureau chiefs, or SYSCOMs with a ten working day time limit. The assigned action office prepares a response and coordinates with other OPNAV offices, Washington Navy headquarters or field activities for information (all correspondence dealing with programmatic or budget issues is coordinated with OP-08).

b. In order to meet established time limits for special correspondence, the SECNAV Congressional Correspondence Branch or CNO/VCNO Secretariat will log incoming letters and set a ten working day suspense for action offices to provide responses to the VCNO for review and forwarding. If unable to meet prescribed suspense date, an interim letter must be drafted by the action office, copy to VCNO, signed by a flag officer or equivalent Senior Executive Service civilian (SES), to the originator of the request providing an anticipated date they can expect to receive a full reply.

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(1) After preparing a proposed response and blazer, the action officer "shotguns" a double-spaced copy to applicable subject matter experts, concerned ACNO/DCNO/DSO/SAs, and other interested offices. Copies for parallel chop are provided to the action officers' points of contact, including division director/deputy director or executive assistant as appropriate, OLA, or NCBE. A cover memo accompanies the double-spaced rough indicating the suspense time and date. Substantive changes during the parallel chop will be re-chopped. For straightforward or particularly urgent cases, the action officer may obtain chops by phone; in such cases the point of contact must ensure he/she accurately represents the principal's position.

(2) After receipt of required chops, the proposed response is prepared in the smooth and forwarded via the cognizant DCNO/ACNO/DSO/SA to OP-08 or direct to VCNO as appropriate. (OP-08 should chop all correspondence dealing with programmatic or budgetary issues.)

(3) If a substantive recommended change is received late, the action officer shall retrieve the proposed response for appropriate modification and re-chop.

c. A copy of all congressional letter correspondence will be forwarded to the SECNAV Administrative Division, Director of Congressional Correspondence, room 4D680, for distribution within the Department of the Navy, data base updating, and to be optically scanned for the record.

d. A copy of responses should also be provided to OP-806 for the Navy Backup File described in paragraph 5.d.(1).

## 7. Coordination Instructions

a. Responses to congressional requests for information, documents, briefings, or witnesses on matters of authorizations and appropriations will be coordinated through OP-806. Matters related to proposed legislation (except authorizations and appropriations), proposed executive orders, and proclamations submitted to OPNAV for comment will be coordinated by OP-09BL.

b. Mail addressed to SECNAV, or one of his civilian executive assistants, which is referred to OPNAV for action or information by the SECNAV Administrative Division, will be routed to the cognizant office. The action office shall coordinate with OP-806, OP-09BL, other OPNAV offices, or subordinate commands as appropriate. A copy of the final response should be provided to OP-806 for the Navy Backup File described in paragraph 5.d.(1).

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c. Congressional requests or inquiries concerning specific allegations about the material condition, habitability, morale, efficiency, or administration of a ship, unit, or station will be coordinated with the Special Assistant for Inspection Support (OP-09G).

d. Congressional requests to CNO for categories of information not otherwise specified in this instruction, such as requests for information on personal problems of constituents, will be routed directly to the appropriate OPNAV office for preparation of the reply for the signature of the appropriate responding official.

e. The following guidance applies:

(1) Procedures for the staffing of congressional inquiries involving authorizations or appropriations with OPNAV. Normally, congressional inquiries are forwarded to OP-806 by OLA/NCBE for coordination. OP-806 will determine cognizance within OPNAV and establish deadlines for reply. The division tasked with action will provide a substantive answer to the inquiry and accomplish necessary coordination within OPNAV, indicating coordination conducted on the return memo. If the division designated for action feels the action is more appropriately the concern of another division, it is the designated division's responsibility to pass the action to the new division, with that division's concurrence. In such cases, OP-806 will be notified promptly of the transfer. If relief from established deadlines is necessary, it must be requested from OP-806 so additional time may be solicited from the originator.

(a) Whenever a request is received directly from a member of Congress or a committee staff by any OPNAV office, OP-806 will be notified immediately to confirm or designate the cognizant division for action and to advise OLA/NCBE of the request.

(b) In the unusual circumstance a reply is not coordinated with OP-806 prior to signature, the action office will provide OP-806 with a copy of the original request and the signed reply as soon as practicable.

(2) Procedures for staffing review of proposed legislative items, executive orders, and proclamations. Normally, such items are forwarded to OP-09BL by OLA for CNO comment. OP-09BL will determine the cognizance within OPNAV and establish deadlines for reply. The action division will review proposed legislative items referred for comment to identify matters of interest to CNO. A recommended CNO position with appropriate supporting comments should be prepared.

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(a) Comments such as "no comment," "no objection," "concur," or "defer to \_\_\_\_\_" may be submitted by telephone to OP-09BL (695-3480).

(b) Substantive comments should be submitted in writing to OP-09BL.

(c) In the event of disagreement between interested offices, opposing positions should be reviewed and original positions reconsidered with the goal of arriving at a single coordinated CNO position.

(3) Procedures for staffing replies which originated outside OPNAV. After coordination within appropriate commands subordinate to CNO, the proposed reply will be delivered to the OPNAV action office which originated the request for the reply or, if no OPNAV action office was designated, to OP-806 or OP-09BL. The proposed reply will, when appropriate, be accompanied by any or all of the following: an indication of the recommended signer or level of signature, appropriate backup material, and a statement of any additional coordination or clearance required. Replies delivered directly to OP-806 or OP-09BL will normally be routed by OP-806 or OP-09BL to the OPNAV office which has primary cognizance of the subject matter or, if there is no clear primary cognizance, OP-806 or OP-09BL will accomplish the necessary OPNAV coordination.

(4) Form of Written Reply

(a) A reply to a direct request from a member of Congress, or his/her staff, should normally be prepared in letter form.

(b) Congressional correspondence that has an Office of the Secretary of Defense (OSD) route sheet (SD Form 14) or is addressed to SECNAV or one of his civilian executive assistants, and is forwarded to OPNAV for response, must be signed by a flag officer or equivalent SES civilian.

(c) A reply to an inquiry which was tasked through OP-806 should normally be in the form of an enclosure, such as a fact sheet, and should be forwarded to OP-806 by memorandum after necessary coordination. A forwarding memorandum to OLA or NCBE will be prepared by OP-806 unless circumstances dictate otherwise.

(d) Any proposed reply should include a statement by the action office of any special consideration that pertains, such as a known requirement for clearance by the Office of the Secretary of Defense or the fact that previously forwarded information on the same subject varies from that now proposed.

(e) Organizational abbreviations, abbreviations for weapons systems, ship classifications (e.g., VP, CVN, DDG, AOR), and acronyms should be avoided. Lengthy names or titles and ship types should be spelled out initially, followed by the abbreviation or acronym in parentheses, after which the abbreviation may be used.

8. Memoranda for the Record. In every instance where Navy Department representatives appear before committees or their staffs for hearings or briefings, where observers are excluded, or when an OLA or NCBE representative is not present, the person(s) so appearing will prepare a memorandum for the record. The memorandum should include major points discussed, including sufficient reference to questions and answers to provide indication of possible further discussions that might occur. Copies of the memorandum will be provided to OP-806 or OP-09BL for delivery to OLA or NCBE, as appropriate, by 1700 the day of the event or as soon thereafter as possible.

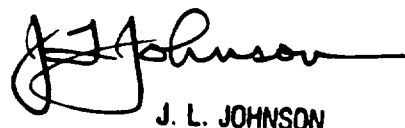
9. Clearance by OLA and/or NCBE

a. All letters to members of Congress or their staffs, other than those of a purely routine nature, will be cleared by OLA or NCBE, as appropriate.

b. All personal correspondence to members of Congress prepared for signature by CNO or VCNO will be cleared by OLA or NCBE, as appropriate, prior to signature.

c. Replies to non-routine congressional inquiries, other than those prepared for secretarial signature, will be cleared by OLA and/or NCBE, as appropriate, prior to signature, but after the correspondence has been cleared within OPNAV.

10. Reference Listing of Replies to Congressional Requests and Inquiries. OP-806 maintains reference files of replies to members of Congress and to staffs of congressional committees which have been coordinated through OP-806C/D. Copies of OPNAV witnesses' testimony at congressional hearings are also maintained. Offices preparing replies to congressional inquiries may consult these files for background information.



J. L. JOHNSON

VICE CHIEF OF NAVAL OPERATIONS

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